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LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature Second Regular Session - 2018

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1 AN ACT
2 RELATING TO PUBLIC HEALTH DISTRICTS; AMENDING SECTION 39-411, IDAHO CODE, TO
3 REVISE PROVISIONS REGARDING THE IDAHO DISTRICT BOARDS OF HEALTH AND THE
4 BOARD OF TRUSTEES OF THE IDAHO DISTRICT BOARDS OF HEALTH.

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 39-411, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 39-411. COMPOSITION OF DISTRICT BOARD -- QUALIFICATIONS OF MEMBERS --
9 APPOINTMENT AND REMOVAL -- TERMS -- ~~TRUSTEE SELECTED FOR~~ SELECTION OF OFFI-
10 CERS -- BOARD OF TRUSTEES OF DISTRICT BOARDS OF HEALTH. (1) For those dis-
11 tricts comprised of:

12 (a) ~~Less~~ Less than eight (8) counties, the district board of health shall
13 consist of seven (7) members to be appointed by the boards of county
14 commissioners within each district acting jointly, and each board of
15 county commissioners may appoint a board member.

16 (b) ~~For those districts comprised of e~~Eight (8) counties, the district
17 board of health shall consist of not less than eight (8) members nor more
18 than nine (9) members, and each board of county commissioners may ap-
19 point a board member.

20 (2) Each member of the district board of health shall be a citizen of the
21 United States, a resident of the state of Idaho and the public health dis-
22 trict for one (1) year immediately last past, and a qualified elector. One
23 (1) member of the district board, if available to serve, shall be a physician
24 licensed by the Idaho state board of medicine, and no more than one (1) mem-
25 ber shall be appointed from any professional or special interest group. All
26 members shall be chosen with due regard to their knowledge and interest in
27 public health and in promoting the health of the citizens of the state and the
28 public health district. Representation shall be assured from rural as well
29 as urban population groups.

30 (3) All appointments to the district board shall be confirmed by a
31 majority vote of all the county commissioners of all the counties located
32 within the public health district. Any member of the district board may be
33 removed by majority vote of all the county commissioners of all the counties
34 located within the district. ~~The members of the district board, each year,~~
35 ~~shall select a chairman, a vice chairman and a trustee. The trustee shall~~
36 ~~represent the district board as a member of the board of trustees of the~~
37 ~~Idaho district boards of health. The board of trustees of the Idaho district~~
38 ~~boards of health shall have authority to allocate appropriations from the~~
39 ~~legislature to the health districts. The board of trustees shall develop and~~
40 ~~administer a formula for the allocation of legislative appropriations.~~

41 (4) The members of the district board of health shall be appointed ~~for~~
42 ~~the purpose of organization as follows: One (1) member to be appointed for a~~

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1 term of one (1) year, one (1) for two (2) years, one (1) for three (3) years,
2 two (2) for four (4) years and two (2) for five (5) years. Each succeeding
3 vacancy shall be filled by the boards of county commissioners within the
4 district acting jointly and with confirmation as herein described for a term
5 of five (5) years, subject to reappointment; and vacancies on the board for
6 an unexpired term shall be filled for the balance of the unexpired term.
7 Notwithstanding any provision of this section as to term of appointment, if
8 a board member is an appointee for a board of county commissioners, and if
9 that board member is an elected county commissioner and leaves office prior
10 to the expiration of the term on the district board of health, the board of
11 county commissioners may declare the position vacant and may appoint another
12 currently elected county commissioner to fill the unexpired portion of the
13 term of that board member.

14 (5) The members of the district board, each year, shall select a chair-
15 man, a vice-chairman and a trustee. The trustee shall represent the district
16 board as a member of the board of trustees of the Idaho district boards of
17 health.

18 (6) The board of trustees of the Idaho district boards of health shall
19 have authority to allocate appropriations from the legislature to the health
20 districts; provided however, that such authority is limited to the devel-
21 opment and administration of formulae for the allocation of legislative ap-
22 propriations; and provided further, that any formula adopted by the board of
23 trustees must be in use, without alteration, for at least five (5) years. All
24 proceedings of the board of trustees shall be subject to the provisions of
25 chapter 52, title 67, Idaho Code; title 74, Idaho Code; and the rules of the
26 Idaho attorney general pertaining to administrative procedure.